

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DENNIS FLORER,

Plaintiff,

v.

CHERYL JOHNSON, *et al.*,

Defendants.

Case No. C06-5561 RJB/KLS

ORDER GRANTING IN PART  
AND DENYING IN PART  
PLAINTIFF'S MOTIONS FOR  
REASONABLE ACCESS TO A  
TYPEWRITER

Before the Court are Plaintiff's motions for reasonable access to a typewriter (Dkt. # 78) and Plaintiff's motion for reconsideration for typewriter access (Dkt. # 104).<sup>1</sup> The Court having reviewed the motions and Defendants' response (Dkt. # 79), finds that the motions should be granted in part as set forth below.

**DISCUSSION**

Plaintiff is currently incarcerated in the Intensive Management Unit (IMU) at Clallam Bay Corrections Center. (Dkt. # 79). Offenders housed in the IMU are not permitted to possess typewriters in their cells as part of their personal property. (*Id.*, Exh. 1). Plaintiff previously requested that he be granted access to a typewriter. (Dkt. # 70). That request was denied as there were no pending deadlines

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<sup>1</sup>The Court construes this latter motion as a motion to reconsider the Court's Order (Dkt. # 73) denying Plaintiff's previous request for access to a typewriter. Plaintiff's previous motion was denied as there were no pending deadlines in this case. (*Id.*).

1 in this matter. (Dkt. # 73).

2 However, as this case moves forward, there will undoubtedly be motions for which Plaintiff will  
 3 seek typewriter access. Plaintiff complains of an injury to his hand making long periods of writing  
 4 painful. Plaintiff submits evidence in the form of a response to a Health Services Kite from Dr. Clifford  
 5 J. Johnson, an osteopathic physician at Clallam Bay Correction Center indicting that Plaintiff's hand is  
 6 slow healing because "the soft tissues were damaged when the bone was broken." (Dkt. # 104, p. 7).

7 Defendants have indicated a willingness to allow typewriter access to Plaintiff subject to certain  
 8 restrictions within Clallam Bay's prison policies, in the event Plaintiff must file a document with this  
 9 Court. (Dkt. # 79). Plaintiff filed this motion in two other courts where he has actions pending. These  
 10 same restrictions were adopted in *Florer v. Peck, et al.*, USDC No. CV-05-5039-EFS, Docket No. 455. In  
 11 *Florer v. Congregation Pidyon Shevuyim, et al.* USDC No. C06-1465RSM-MAT, Docket No. 31,  
 12 Plaintiff's motion was denied as moot as dismissal had been recommended.


13 The Court finds the restrictions appropriate and accordingly, **ORDERS:**

- 14 1) Plaintiff's motion for typewriter access in the event he must file a document with this  
 15 Court (Dkt. # 78 and Dkt. # 104) are **GRANTED subject to the following restrictions:**
- 16 (a) Plaintiff must submit an Inmate Kite to Correctional Unit Supervisor Al Moseley  
 17 requesting access to a typewriter;
  - 18 (b) Plaintiff will be permitted to use the typewriter referenced in Plaintiff's Motion,  
 19 assuming that typewriter exists, in the education room for one hour per week; and
  - 20 (c) Plaintiff must supply his own paper and typewriter ribbon. If he so chooses, they  
 21 may be mailed to Al Moseley at Clallam Bay Corrections Center, who will insure  
 22 that they are made available to Plaintiff pursuant to these restrictions.

- 23 2) The Clerk of the Court shall send a copy of this Order to Plaintiff and counsel for

1 Defendants.

2 DATED this 4th day of December, 2007.

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6 Karen L. Strombom  
7 United States Magistrate Judge  
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